

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN BROWNING, INC.,

No. C-07-3983 JSW (EMC)

Plaintiff,

v.

**ORDER RE JOINT LETTER OF
NOVEMBER 19, 2008**

VENETIAN CASINO RESORT, *et al.*,

(Docket No. 119)

Defendants.

The parties have filed a joint letter regarding a discovery dispute related to this Court's order of October 21, 2008. *See* Docket No. 114. The Court has reviewed the joint letter and rules as follows.

Defendants correctly argue that Plaintiff is, in essence, asking this Court to reconsider its prior order. This is not just a matter of clarification. The Court's prior order was clear. The Court expressly stated that it was not authorizing broad discovery and was requiring only production of "documents that explicitly refer to Browning or its designs." Docket No. 114 (Order at 2). PTA500 and PTB500 are not Browning designs, and the Court rejected Plaintiff's attempt to obtain such discovery.

Plaintiff has made no effort to show that it should be given leave to file a motion for reconsideration consistent with Civil Local Rule 7-9(b). Nothing has been presented justifying any change to the Court's prior order. Accordingly, the Court denies Plaintiff's request for relief.

1 As to Defendants' request for sanctions, the Civil Local Rules require that a motion for
2 sanctions be noticed and filed separate from any other motion. *See* Civ. L.R. 7-8(a) (stating that a
3 motion for sanctions must be filed separately).

4 The parties shall meet and confer and try to reach a resolution on sanctions. If no resolution
5 is reached, Defendants may file a motion, not more than three (3) pages in length, and a supporting
6 declaration as to fees incurred. Within one (1) week thereafter, Plaintiff may file an opposition, up
7 to three (3) pages in length, and a supporting declaration. The matter will then be deemed
8 submitted.

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10 IT IS SO ORDERED.

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12 Dated: November 25, 2008

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16 EDWARD M. CHEN
17 United States Magistrate Judge
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